

ORDINANCE NO. 023-90

AN ORDINANCE AUTHORIZING
A LICENSE AGREEMENT WITH
THE CITY OF CHICAGO
THROUGH ITS DEPARTMENT
OF PUBLIC HEALTH TO
INSTALL, OPERATE, AND
MAINTAIN A PUBLIC HEALTH
VENDING MACHINE AT THE
95TH/DAN RYAN STATION (RED
LINE)

WHEREAS, The Chicago Transit Authority (“Authority”) operates the nation’s second-largest public transportation system, providing bus and train service for the City of Chicago and 35 surrounding suburbs; and

WHEREAS, The City of Chicago, a municipal corporation and home rule unit of local government existing under the Constitution of the State of Illinois (“Licensee”), through its Department of Public Health (“CDPH”) is piloting the use of Public Health Vending Machines to deliver free general hygiene, health, and harm reduction supplies to individuals experiencing substance use disorder (SUD), homelessness, or other social vulnerabilities in Chicago; and

WHEREAS, As part of its pilot program, Licensee desires to install, operate, service, and maintain Public Health Vending Machines in certain rail transit passenger stations; and

WHEREAS, The Authority wishes to grant Licensee the right to use certain designated Specialty Vending Machine (SVM) areas (the “Designated SVM Areas”) for the purpose of furnishing, installing, operating, and maintaining such Public Health Vending Machines; and

WHEREAS, Licensee will install a Public Health Vending Machine at the Designated SVM Area located at the north terminal of the Authority’s 95th/Dan Ryan Red Line station, and upon mutual agreement of CPDH and Authority staff additional Designated SVM Areas may be included and vending machines may be relocated; and

WHEREAS, The term of the license agreement will be for six (6) months with two (2) five-year options to extend but permits either party to terminate upon thirty (30) days’ notice; and

WHEREAS, Licensee will not be required to pay a fee for use of the sites but will be responsible for all costs related to the procurement, installation, servicing, and operation of the Public Health Vending Machines, except that the Authority has agreed to pay for the cost of electricity for the SVMs; and

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WHEREAS, Licensee will indemnify the Authority for its use of the designated sites, and the City of Chicago Department of Assets, Information and Services will be an additional signatory to the license agreement; now, therefore:

BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chairman of the Chicago Transit Board, or his designee, is authorized to enter into a license agreement with the City of Chicago through its Department of Public Health and Department of Assets, Information and Services to install, operate, service, and maintain Public Health Vending Machines at the Authority's 95th/Dan Ryan Red Line station and additional locations as agreed-upon by CPDH and Authority staff.

SECTION 2. The License Agreement has a base term of six (6) months with two (2) five-year options to extend, permits either party to terminate upon thirty (30) days' notice, requires Licensee to indemnify the Authority for the use of the designated sites, and contains such other terms as are substantially in conformance with the Specialty Vending Machine Concession License Agreement between the Chicago Transit Authority, as Licenser, and the City of Chicago, as Licensee, attached as Exhibit A hereto.

SECTION 3. The Chairman, or his designee, is further authorized to take such actions and execute such documents as may be necessary to implement the objectives of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

APPROVED:

PASSED:

Chairman

August 29, 2023

Secretary

August 29, 2023